



KERALA GAZETTE കേരള ഗസറ്റ്

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PART IV Private Advertisements and Miscellaneous Notifications

OFFICE OF THE COMMISSIONER OF CUSTOMS
CUSTOM HOUSE, COCHIN-682 009

NOTIFICATION No. 4/2013

F. No. S.25/86/2013-I&B-Cus.

1st April 2013.

In exercise of the powers conferred on me under Section 8 (a) of the Customs Act, 1962 (52 of 1962), I, Dr. K. N. Raghavan, Commissioner of Customs, Custom House, Cochin, on request of M/s. Cochin Port Trust, vide their letter No. A1/311/2012/T dated 8-1-2013 declare the following area of Cochin Port Trust, Willingdon Island, Ernakulam District in the state of Kerala as per limits specified in the table below to be the "Customs Area", for the purpose of loading and unloading of goods.

Further, in exercise of the powers conferred under sub-section (b) of Section 8 of the Customs Act, 1962, I also specify the boundaries, and the limits of the above stated Customs Area bearing specific measurements and enclosed by the boundaries as specified below:

TABLE	
Geographical Location	Ernakulam District, Puthuvypeen
Area	43.50 hectre North—Petronet LNG limited's LNG storage and regasification facilities,

Boundaries South Port's approach channel
East—Puthuvypeen SEZ area
West—Arabian Sea

Dr. K. N. RAGHAVAN,
Commissioner of Customs.

NOTIFICATION No. 05/2013

F. No. S. 25/45/2013/I&B Cus. 5th April 2013.

In exercise of the powers conferred on me under Section 45 (1) of the Customs Act, 1962 (52 of 1962) read with Regulation 10 of Handling of Cargo in Customs Areas Regulations, 2009 (HCCAR 2009), I, Dr. K. N. Raghavan, Commissioner of Customs, Cochin hereby appoint M/s. India Gateway Terminal Pvt. Ltd., Mulavukad Village, Vallarpadam, Ernakulam District, to be the Custodian and as Customs Cargo Service Provider as defined in Regulation 2(b) of the HCCAR 2009, of imported goods and goods brought for export at the Customs area as notified under Section 8(a) of the Customs Act, 1962 vide Notification No. 02/2013 dated 15-2-2013, until these are cleared for home consumption or exported or warehoused or are transshipped in accordance with the provisions of the said Act, subject to the following conditions:

1. International Container Transshipment Terminal (ICTT), Vallarpadam, as the custodian/Customs Cargo Service Provider of goods meant for import and export shall comply with all the Rules and Regulations under the Customs Act, 1962 including 'The Handling of Cargo in Customs Areas Regulations, 2009' issued vide Notification No. 26/2009 Cus. (NT) as amended from time to time.

2. Custodian shall comply with all provisions of the Customs Act, 1962, more specifically the Provisions of Section 45 (2) of the Customs Act, 1962 as well as rules

and regulations and instructions issued from time to time in this regard.

3. The Custodian shall be responsible for proper receipt, handling, storage and shall be accountable for the loss of imported goods after landing and before clearance as well as the goods meant for export/transshipment. They

shall also maintain proper record of all such goods including the record of goods which are cleared with the permission of the Customs Deptt. or disposed off under Section 48 of the Customs Act, 1962 or otherwise.

4. Custodian shall provide all Facilities for receiving, verification, examination, scanning and documentation etc. of import/export cargo in containers as required under 'Handling of cargo in Customs Area Regulations, 2009'.

5. The imported/export/transshipped goods, which are not cleared for home consumption or warehousing or exported/transshipped within 30 days of unloading thereof or within such further time period as the proper officer may allow; or the imported goods to which the importer relinquishes his title as provided in Section 23(2) of the Customs Act, 1962, such goods shall not be sold under the provisions of Section 48 of the Customs Act, 1962, by the Custodian without obtaining permission from the proper officer of Customs.

6. The Custodian shall provide safe, secure and spacious place for loading/unloading/storing of the cargo.

7. The Custodian shall provide free furnished office space for the Customs Department at Place of clearance whenever required.

8. The Custodian shall make adequate arrangements for sanitary facilities, water supply and other allied facilities, including canteen facility for the customs officers working in the area.

9. The Custodian shall undertake any liability arising on account of damages caused or loss suffered on imported or export goods, due to accident, damage, deterioration, destruction or any other unnatural cause

during their receipt, storage, delivery, dispatch or otherwise handling.

10. The Custodian shall not charge any rent/ demurrage on the goods detained by the Customs Department under the Customs Act or any other Act for the time being in force. However, the Customs Department

shall pay the rent to the custodian after the ownership of the goods vests in the Government after confiscation. The rate of rent for such goods shall be fixed by the Commissioner in consultation with CPWD or local Revenue or Rent Control Authorities.

11. The Custodian shall provide sufficient modern handling equipment in operational condition for handling the cargo in the notified area.

12. No alteration of the plan in the Customs area shall be made without the concurrence of the Commissioner of customs, Cochin.

13. Security of the customs area should be the responsibility of the custodian subject to the prior approval from the Commissioner of Customs. The cost of security has to be borne by the custodian.

14. The custodian shall not lease, gift, sell or sublet or outsource functions permitted or required to be carried out by him to any other person, without the written permission of the Commissioner of Customs.

15. The custodian shall publish and display at a prominent place including website or webpage of the custodian the schedule of charges for the various services provided by him in relation to the imported goods or export goods in the customs area.

16. Duration of appointment shall initially remain valid upto 2 years from the date of issue of this Notification and subject to the satisfaction of the Commissioner of Customs. Commissioner of Customs shall have right to terminate the appointment at any time after

assigning specific reasons and giving an opportunity for the custodian to explain his case.

DR. K. N. RAGHAVAN,
Commissioner.